

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.,

Plaintiffs,

CIVIL ACTION FILE

v.

NO. 1:17-CV-02989-AT

BRIAN KEMP, et al.,

Defendants.

STATE DEFENDANTS' AMENDED CLOSING STATEMENT

Plaintiffs' fears are speculative not because they are completely impossible as an academic matter, but because Georgia defends against them with security procedures Plaintiffs' computer scientists know little about or wrongly assume do not exist. After a reexamination, this year the Secretary of State certified the DRE system is safe and accurate. This Court is asked to override that and upend Georgia's elections system even while the gears of Georgia's election machinery are already turning.

Although the State provides the system, elections happen at the county level. Going from an election where less than 10% of the ballots cast would likely be paper to 100% is a dramatic change. Ordering the S.E.B. to legislate a plan into existence is not the same as proving a safe system can be created and implemented with so little time. With the backing of the then-Governor and the General Assembly, former Secretary of State Cathy Cox led the restructuring of Georgia's elections system between 2000 and 2002. As she testified, redesigning Georgia's elections system while preparations for the election are already underway would be "chaotic in the extreme." A chorus of election officials from across Georgia plead in unison that their warnings be heeded. Theirs are the voices of experience and personal knowledge regarding Georgia's voting infrastructure. The Court should deny Plaintiffs' motions.

Respectfully submitted, this 14th day of September, 2018.

BARNES LAW GROUP, LLC

/s/John F. Salter

JOHN F. SALTER

Georgia Bar No. 623325

ROY E. BARNES

Georgia Bar No. 039000

BARNES LAW GROUP, LLC

31 Atlanta Street

Marietta, GA 30060

(770) 227-6375

(770) 227-6373 (fax)

john@barneslawgroup.com

roy@barneslawgroup.com

Attorneys for Defendants Brian P. Kemp, David J. Worley, Rebecca N. Sullivan, Ralph F. "Rusty" Simpson, Seth Harp, & The State Election Board

CERTIFICATE OF COMPLIANCE

I hereby certify that I have read the Court's Standing Order in Cases Proceedings Before the Honorable Amy Totenberg and that I will comply with its provisions during the pendency of this litigation.

/s/John F. Salter

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Century Schoolbook and a point size of 13.

/s/John F. Salter

CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing **STATE DEFENDANTS' AMENDED CLOSING STATEMENT** with the Clerk of Court using the CM/ECF system, which will send email notification of such filing to all attorneys of record.

This 14th day of September, 2018.

BARNES LAW GROUP, LLC

/s/ John F. Salter

JOHN F. SALTER

Georgia Bar No. 623325

ROY E. BARNES

Georgia Bar No. 039000

BARNES LAW GROUP, LLC

31 Atlanta Street

Marietta, GA 30060

(770) 227-6375

(770) 227-6373 (fax)

john@barneslawgroup.com

roy@barneslawgroup.com

Attorneys for Defendants Brian P. Kemp, David J. Worley, Rebecca N. Sullivan, Ralph F. "Rusty" Simpson, Seth Harp, & The State Election Board